

Review of Actions Taken in the Washington County

Board of County Commissioners Meeting

July 8, 2003

INTRODUCTION OF NEW EMPLOYEES

Acting Human Resources Director Dee Hawbaker introduced 8 new employees to the Board. Corinne Stone and Sharon Hollar were recently hired as Office Associate III's by the Office of the State's Attorney. Thomas Kline has taken a Project Coordinator position with the Washington County Community Partnership/Local Management Board. Keith Small is a new Operator III at the Water Quality Department and Mike Wilhelm has been hired as the Full-Time Work Crew Supervisor by the Alternative Sanctions department of the State's Attorney's Office. Brian Shifflett, Sr., Norman Forsythe, and Ryan Mauck were all recently hired as Deputies at the Washington County Detention Center.

COMMISSIONERS' REPORTS AND COMMENTS

Commissioner John Munson commented on a recent meeting of the Solid Waste Advisory Committee. Munson said that landfill tonnage was up by 14.1% over the same time last year and that revenues were up 13.7% over the same time last year. The figures did not include June 2003, Munson said. There will be no tire amnesty day held this year due to a lack of state funds.

Commissioner Dori Nipps reported on a meeting of the Airport Commission at which the runway extension was discussed. The Local Management Board's most recent meeting reviewed the Police Athletic League after school grant and agreed with staff that the funding should be rebid. Nipps said that the funds were not being used in accordance with grant requirements. County Administrator Rod Shoop said a meeting with Mayor Breichner and City Administrator Bruce Zimmerman was held to discuss the issue, and LMB Staff will appear at the July 15th meeting of the Hagerstown Mayor and Council to offer further explanation of that action. Notification processes will be reviewed, Shoop said. Nipps commented that she disagreed with the recent appointment of School Superintendent Betty Morgan to the PenMar Development Corporation Board. Nipps said that during her term on the Board of Education, Superintendents' outside activities were restricted due to the volume of work involved in running the school system.

Commissioner Jim Kercheval told the Board that the planning Commission recommended saving historic barn cupolas from the St. James development, but allowed demolition of other buildings to proceed. Kercheval said that citizens purchasing property in Washington County often are not properly informed about private or industrial developments that may abut the land. Buyers should ask such questions before entering into purchase agreements, Kercheval said. The Drive-In Theater on U.S. 40 was approved for a one-year trial period by the Planning Commission, Kercheval said. Plans requesting billboards to be

erected along Dual Highway were tabled for later review due to projected height of the advertising signs. The Planning Commission has concern over current billboard Ordinances, Kercheval said.

Commissioner Bill Wivell commented on Commissioner Nipps' opinion, stating that the School Superintendent would bring much needed experience to the PenMar Board. Wivell and Public Works Director Gary Rohrer spent much of Saturday morning attempting to resolve a stormwater management issue with a citizen. The subdivision developer has agreed to remedy the problem, Wivell said. A trip to Charles County gathered information on similarities and differences between the two counties. An average home there costs \$300,000.00 and the Charles County impact fees doubled this year from 5 to 10 thousand dollars. Charles and Washington Counties are often compared because of similarities in population size. Wivell said he was disappointed in treatment he received by Hagerstown City Council at last week's meeting. A discussion of city/county water and sewer issues was scheduled for 6 p.m., Wivell said, and at 7 p.m. Council decided to remove the discussion from its agenda. Wivell said the Council acted in an unprofessional manner.

Commissioners' President Greg Snook said that a letter from the Maryland Department of the Environment announced replacement of a rock-crushing unit in the Pinesburg area by the Martin Marietta Company. MDE was asking if a public meeting should be held, but the Board showed no support for that action. A letter from the U.S. Environmental Protection Administration said that Washington County has satisfied requirements for the Early Action Compact on air quality. Allegheny Power has notified the County of an impending upgrade to the transmission lines at Boonsboro, Snook said. A letter from the University of Maryland President has indicated that the Hagerstown Education Center construction is on track and proceeding towards a fall 2004 completion date, with classes to be held in the spring of 2005. A meeting with Hagerstown Community College President Guy Altieri discussed cooperative programs between HCC and UMD and revealed a 10% increase in enrollment for the fall semester, Snook reported.

REPORTS FROM COUNTY STAFF

Planning and Community Development Director Bob Arch discussed the progress on the Early Action Compact and said that the next progress report is due in August. A meeting with the State Highway Administration on the widening of I-81 discussed upgrade of exits and 6-lanes of traffic. There is no timeline for those actions and no construction funds available from the state at this time, Arch said. Questions have arisen about a proposed truck terminal at the Pennsylvania state line. Arch said the developers were granted a special zoning exception, but that there has been no other activity to date. Arch said the developers would have to negotiate with both the Maryland State Highway Administration and the Pennsylvania Department of Transportation. Arch said he did not expect to see a site plan for the development presented to the department in the near future.

Public Works Director Gary Rohrer commented that recent rains have caused 2 million gallons of leachate to be hauled from landfill sites to the Conococheague Water treatment plant. The Water Quality Department has benefited from the extra revenue. Meetings with the Clopper Family on the cemetery at 40-West landfill have taken place and the family is happy with the procedure the County will follow. Rohrer told the Board that a letter was sent to the State Highway Administration regarding proposed bicycle paths along County roads. Some of the roads would be inappropriate and the County does not

have the funds to do the projects at this time, Rohrer said. The state of Maryland has issued formal notification to the Federal Communications Commission that it intends to move forward with the construction of the communications tower at Lamb's Knoll. The tower would be a critical part of the County's proposed Emergency Communications System, Rohrer said.

ADEQUATE PUBLIC FACILITIES ORDINANCE (APFO) SCHOOL REPORT

Director of Planning and Community Development Bob Arch presented an update on the Adequate Public Facilities Ordinance (APFO) and the status of schools, to the Board. Arch told the Board that the APFO as currently applied, calls for new schools to be constructed when capacity is exceeded by 5%. Arch said that a report on revisions to the APFO relating to schools will be presented later in July, and that the status report today shows capacity as defined in the School Master Plan at 25 pupils per classroom. In the County Elementary Schools there is current total capacity for 10,736 students, but only 8,374 are enrolled. With capacity measured at the allowable 105% rate, there is remaining capacity for 2,899 elementary students in those schools. In the 7 Middle Schools there is room for 1,218 additional students under the max plus 5% formula, and in the County's 8 High Schools, an additional 1,709 students could be accommodated. Arch noted that the figures for Hancock High incorporated the Middle School figures at that location. All of the County schools passed the APFO status check, Arch reported. An impact will be felt from relocatable classrooms proposed for purchase by the School Board in the 6-year Capital Improvement Projects budget. Arch requested guidance from the Board regarding use of numbers of students housed in portable classrooms, the relevance of numbers of Pre-Kindergarten students and numbers of Kindergarten students in developing APFO changes. The Board reached consensus to no longer use the "portable" statistics, or the Pre-K statistics, in line with state usage, but to retain the use of Full-Time Kindergarten student numbers due to the possibility of All-Day Kindergarten implementation by 2006. New figures will be developed and a report made to the Board using those criteria, Arch said.

REQUEST TO FILL VACANCY: TRANSPORTATION DEPARTMENT

Transportation Department Director Kevin Cerrone requested approval to fill a position of Office Associate, Grade 7, salary range \$23,808 to \$38,093, in that department. A vacancy exists due to a resignation. Job duties include assisting clients with transit information, PeopleSoft requisitions, filing grant applications, processing invoices and other duties as required. The position is necessary for proper operation of the department, Cerrone said. The measure was approved by a 4-1 vote with Commissioner Wivell voting "no".

REQUEST TO FILL VACANCY: PURCHASING

County Purchasing Agent Karen Luther requested approval to advertise and fill an existing position of Procurement Specialist, Grade 9 at a salary range of \$27,770 to \$44,431. The incumbent moved into a vacant position in the Human Resources Department. The job skills include communication coordinator for payphones, pagers, cell phones and phone cards, substituting for the Purchasing Agent or Buyers at

pre-bid conferences and bid openings, and performing a variety of purchasing-related tasks in that department including assistance and training to end users with the PeopleSoft software purchasing system. The measure was approved by a 4-1 vote with Commissioner Wivell voting "no".

INTERGOVERNMENTAL COOPERATIVE PURCHASES: BLACK ROCK GOLF COURSE

Luther and Black Rock Golf Course Assistant Maintenance Superintendent John Easterday requested purchase of two Jacobsen Mowers and attachments plus a Cushman Core Harvester attachment for use with current equipment from the low bidder, G.L. Cornell Company of Gaithersburg, Maryland. The mowers total price of \$42,783 would be reduced by a \$4,200 trade-in from current equipment. The Core Harvester attachment would cost \$2,979.17. Total package price would be \$41,562.17. Luther told the Board that the equipment would be purchased on a piggyback bid with Fairfax County, Virginia as allowed by state law. A resolution is needed for this agreement, Luther said. The piggyback would save both the Golf Course and the Purchasing Department time and expense, and the pricing would be more advantageous to the County, Luther said. Commissioner Munson requested the equipment be re-bid to give County vendors opportunity to respond. The measure was approved by a 4-1 vote with Commissioner Munson voting "no".

REVISED BID AWARD: GROUNDS MAINTENANCE CHEMICALS

County Buyer Vicky McKenzie brought this revised bid before the Board for approval. Last week the Board approved the annual contract to supply various grounds maintenance chemicals for Black Rock Golf Course, the Highway Department and the Department of Water Quality. The City of Hagerstown piggybacks on this contract for chemicals used on its Municipal Golf Course. Ikex, Inc. of Finksburg Maryland withdrew its proposal on one of the items, a product called Subdue Maxx for the price of \$435.00 per gallon. McKenzie requested an alternate bid, from Helena Chemical of Swedesboro, New Jersey for the same product, at \$504.50 per gallon. Ikex stated that they intended to price a generic equivalent, but did not state that fact in the original bid. The measure was approved by unanimous vote.

CAPITAL IMPROVEMENT PROJECT BUDGET REVISION: ROAD RECLAMATION

Public Works Director Gary Rohrer and County Chief Engineer Terry McGee told the Board that a number of factors have interacted for a negative impact on the Roads and Highways in Washington County. The severe winter and unusually wet spring, plus the state's withholding of Highway User Revenues have severely affected the County's ability to adequately properly prepare roads that are overlay candidates in advance. The Chief Engineer, Director of Highways Department and Rohrer have agreed that the best way to utilize highway maintenance dollars is to transfer \$500,000.00 appropriated for Pavement Maintenance in the FY '04 Capital Improvement Projects (CIP) budget to the Road Reclamation line item for use in and around the Urban Growth Area. Without reallocating funds, Rohrer

said that about 10 linear miles would be affected on maintenance projects that could be postponed. At the same time there is a very real need for reclamation of high-volume roads in and around the Urban Growth Area. A number of reclamation projects originally scheduled for FY 2002 were postponed due to lack of funding, and these are the areas in greatest need at this time. Rohrer showed a series of pictures illustrating the deteriorating conditions on several roads. The measure was approved by unanimous vote.

RESOLUTION FOR MEDAAF LOAN AND LOCAL MATCH FOR LENOX, INCORPORATED

County Attorney Richard Douglas and Economic Development Commission Director Tim Troxell brought this measure before the Board for approval. The Maryland Department of Business and Economic Development, under the Maryland Economic Development Assistance Authority and Fund ("MEDAAF"), has agreed to lend \$150,000 to Lenox, convertible to a grant. The loan will be used in connection with a project consisting of acquisition of a 40-acre parcel of land known as Hunters Green Parkway, construction of a 500,000 square foot warehouse, acquisition of equipment for that facility, and other operational capital. In accordance with state law the County is required to endorse making of the loan for the project. In addition to the MEDAAF Loan, the County will contribute \$100,000 toward the project in the form of a conditional grant on the same terms as the MEDAAF Loan. The measure was approved by unanimous vote.

CITIZENS PARTICIPATION

Each week the Board of County Commissioners sets aside time to hear from the Citizens of Washington County on matters of community interest.

Jim Laird of Citizens for the Protection of Washington County commented on the Adequate Public Facilities Ordinance revisions, and suggested greater enforcement once the Ordinance is rewritten.

Mike Nye of Hagerstown commented on the APFO, stating that housing units already approved have not been considered in the data.

Hagerstown City Council member Penny Nigh discussed the HotSpots and Police Athletic League after school programs, and water quality issues. Nigh apologized for any inconvenience that Commissioner Wivell might have experienced at last week's Council meeting.

PUBLIC HEARING: LAND PURCHASE

Assistant County Attorney John Martirano and Real Property Administrator Dean Lowry brought these items to Public Hearing. Several parcels of land need to be purchased to satisfy conversion requirements of the state's Program Open Space (POS). Three parcels adjacent to Tammany Manor North consisting of approximately 2.5 acres would be purchased from developer R. Lee Downey and used in accordance with POS requirements. Total price for the parcels is \$92,000, with \$27,000 from the General Fund and the remaining \$65,000 from the proceeds of the "Ditto Knolls" property on Landis Road. The land would ultimately be used in development of a park in the Tammany area. No one appeared to make comment either for or against the proposition. The measure was tabled for further discussion.

GRANT FUNDED EMERGENCY PLANNER POSITION

Department of Emergency Services Director Joe Kroboth brought this request before the Board, to execute a two-year Memorandum of Understanding with the Maryland Emergency Management Administration to accept \$120,000.00 in grant funding to hire an Emergency Planner I. Kroboth told the Board that the state is offering all jurisdictions grant funding to enhance emergency planning at the local and regional level relating to possible terrorist activities. The grant would be for two years at \$60,000.00 per year. The position would research, write, coordinate and update emergency response plans, and assist with planning and implementation of emergency related drills and exercises. Kroboth said that the position will aid the County in meeting overall goals and objectives regarding emergency response to terrorism and in meeting aggressive federal and state planning deadlines. The state is anticipating allocations to retain the position after the initial two-year period, and the funding cannot be used to supplant existing positions. The measure was approved by unanimous vote.

EMERGENCY MEDICAL SUPPLIES BILLING

Kroboth and Alan Metheny, Chair of the Emergency Medical Services Committee of the County Fire and Rescue Association requested that the County absorb cost of pre-hospital EMS supplies used in emergency incidents. Changes in federal laws have affected the financial position of Washington County Hospital and the EMS companies. Prior to July 1st the Hospital was allowed to provide EMS supplies to the volunteer companies, then bill patients for those supplies. Changes in the law have prohibited the hospital from invoicing the patient because all EMS companies charge for their services. The Emergency Services Council and the County Fire and Rescue Association are recommending a program to allow the Hospital to continue distribution of the supplies, and the County to be invoiced for those costs. Fiscal impact would be \$198,000.00 per year. Commissioners' President Snook said the issue would be taken under advisement and a decision made within 30-45 days.

The Board toured the Summer Recreation Camp at Marty Snook Park at the lunch hour.

MACo LEGISLATIVE INITIATIVES

County Administrator Rod Shoop brought this item before the Board. On July 9th the Maryland Association of Counties (MACo) and the Legislative Planning Committee will meet to develop initiatives for the 2004 legislative session. Items under discussion were State responsibility for Educational Funding, Full Day Kindergarten, Thornton Commission Funding, the Highway User Revenue funding cuts impact on the Highway system in the county, new voting machines, Emergency Medical Service reimbursement for supplies, budget security for Counties, capital funding for schools, prevailing wage, need for an additional Circuit Court Judge, out-of-state student reimbursements for Hagerstown Community College, the ability to purchase agricultural easements with bond funds, transfer of development rights, and housing of state prisoners in the County detention facility. The issues could have a significant impact on the FY 2005 Budget.

OTHER BUSINESS

Appointments to Boards and Commissions: County Clerk Joni Bittner brought this request before the Board, to appoint Barbara Downey and Rose Wolters to the Commission for Women to fill vacancies. The measures were approved by unanimous vote.

Bittner also told the Board that the Mental Health Authority is requesting reappointments of Linda Henesy and Carolyn Brooks to its Board of Directors. The measures were approved by unanimous vote.

County Administrator's Comments: County Administrator Rod Shoop told the Board that the most recent Employee Casual Day earned \$268.00 for United Cerebral Palsy. The issue of reinstatement of \$1,700.00 to the Board of Election Supervisors' Budget for increases in Substitute Board Member salaries was brought forth but died for lack of interest. The County Picnic is scheduled for the last Saturday in July, at Antietam Recreation Center, Shoop said. The Board meeting next week will run all day, contrary to the published schedule that lists the 15th as a non-meeting day, Shoop reported. County Public Information Officer Norman Bassett reported on reinstatement of County information on Antietam Cable TV Channel 65 after a brief hiatus.

WATER QUALITY ADVISORY COMMISSION STATUS REPORT

Department of Water Quality (DWQ) Advisory Commission Chair Clarence Scheer and Commission members brought this discussion before the Board. The Commission had requested time with the County Commissioners to talk about the potential for General Fund reduction to the sewer fund. Scheer gave the Board figures on consumer rates under a variety of scenarios, and recommended phase-out of the General Fund contribution in 2009, over a ten-year period. Unfunded mandates and equipment failures are causes for concern, Scheer said. The Commission Chair said that zero debt is not possible, and reminded the Board that the sewer facilities were built to have a 50 to 80-year "shelf life". The Department of Water Quality (DWQ) team must keep up its good works in cost-containment, in order to keep consumer rates at the lowest possible levels. Scheer told the Board that his Commission supports the expansion of the Airport, but cautioned to keep pretreatment issues in mind, given the nature of chemicals in use at modern airports. Scheer suggested that a pretreatment facility at the airport might be a good idea, and pledged to

offer expertise to the Airport Commission at any time. Scheer also suggested that the Board study ways in which the various advisory Boards and Commission operate and interact with the County Commissioners.

WASHINGTON COUNTY/HAGERSTOWN HOTSPOT COMMUNITY INITIATIVE

Carolyn Brooks, HotSpots Coordinator, along with HotSpot Board Members Princeton Young, Kathy Kelsey and Rev. Don Stevenson brought a request for funding assistance to the Board. At a recent meeting, Brooks announced that the program lost 52% of its funding due to state cuts. A request to the city for \$45,000.00 to assist with after school initiatives has not come to fruition. The lack of funding will have an impact on after school programs at Bester, Eastern, Winter Street and Fountaindale Elementary Schools, Brooks said. Brooks has said \$90,000.00 is needed to maintain the status of those programs. Brooks told the Board that the Community Policing, Community Mobilization groups and the Nuisance Abatement Attorney programs will feel the burden of the state funding cuts as well. County School Superintendent Betty Morgan said that the Board of Education has a great interest in after school programs and that there exists a possibility for partnering with HotSpots. Commissioners' President Snook offered the possibility of a challenge grant to the Board. The County would provide \$45,000 for after school program support if the City would do the same. Discussion centered on grant programs that are funded by the State, with an expectation that local programs would pick up the tab when the state funding has played out. The \$45,000.00 match offer was approved by a 3-2 vote with Commissioners Munson and Wivell voting "no".